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LEGAL NOTES.

THE recent cases of *Hanley v. Donoghue*, 116 U. S. S. C., 1, and *Renaud v. Abbott*, Id. 277, while not passing upon the question, serve to recall the diversity of opinion, evidenced by the decisions of the various state courts, in regard to whether a judgment rendered jointly against two defendants, one only of whom is summoned, and which is allowed to remain unappealed from, is void as against the *summoned* defendant. This subject was so recently considered in an article by Mr. Frederick J. Brown, of Baltimore, published in *Am. Law Reg.* (N. S.), vol. xix., p. 673, that we desire simply to call attention to the elaborate and careful note since written by Mr. A. C. Freeman to *St. John v. Holmes*, 32 *Am. Dec.* 604, in which he reviews the cases and examines the ground of the decisions. His conclusions, which agree with those previously reached by Mr. Brown, are thus emphatically expressed: "The authorities show that the courts of Massachusetts, Maine and New Hampshire are fully, and, perhaps, unalterably committed to the doctrine that a judgment is an entirety, and if void against one of the defendants is void as to all. * * * We believe it to be without any other support than the authority of those eminent courts, which, through what we conceive to be either a misapprehension of a prior decision, or of the real nature of the question in issue, pronounced in its favor. We say misapprehension of the question in issue, because the courts seemed to treat it as a mere question of error and not of power, and to assume that if error was shown the judgment was void."

This is significant, not only on account of Mr. Freeman's authority to speak on such a question, but because the learned author, in sect. 136, of his work on Judgments, had previously endorsed the contrary view.

ABSTRACTS OF RECENT DECISIONS.

SUPREME COURT OF THE UNITED STATES.¹SUPREME COURT OF FLORIDA.²COURT OF ERRORS AND APPEALS OF MARYLAND.³SUPREME COURT OF NORTH CAROLINA.⁴SUPREME COURT OF RHODE ISLAND.⁵

AGENT.

Contract to Sell Land as Agent for Feme Covert—Real Ownership of Agent—Fraudulent Conveyance to Principal.—A contract to sell a

¹ Prepared expressly for the American Law Register, from the original opinions filed during Oct. Term, 1885. The cases will probably appear in 117 U. S. Rep.

² From D. C. Wilson, Esq., Clerk. The cases will probably appear in 21 or 22 Florida Rep.

³ From J. Shaaf Stockett, Esq., Reporter; to appear in 64 Md. Rep.

⁴ From Hon. Theo. T. Davidson, Reporter; to appear in 94 N. C. Rep.

⁵ From Arnold Green, Esq., Reporter; to appear in 15 R. I. Rep.